

JOURNAL OF THE SENATE

NINETY-FIRST SESSION

FOURTEENTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Wednesday, February 3, 2016

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Fr. David Hussey, followed by the Pledge of Allegiance led by Senate pages Layne Hohn and Rylee Homandberg.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the thirteenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Gary Cammack, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Transportation respectfully reports that it has had under consideration SB 59 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Transportation respectfully reports that it has had under consideration SB 7 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Respectfully submitted,
Mike Vehle, Chair

Also MR. PRESIDENT:

The Committee on Local Government respectfully reports that it has had under consideration HB 1035 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Local Government respectfully reports that it has had under consideration SB 74 and HB 1003 and 1034 and returns the same with the recommendation that said bills do pass and be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Local Government respectfully reports that it has had under consideration SB 64 and returns the same with the recommendation that said bill be amended as follows:

64sd

On page 1, line 14, of the printed bill, overstrike "members-elect" and insert "members".

On page 2, line 3, after "temporary" insert "absence or".

On page 2, line 4, delete everything after "president" and insert "or vice president of the city council as provided in § 9-8-7. ".

1 On page 3, line 18, delete "shall only vote as an" and insert "acting as the mayor shall only
2 vote as an alderman.".

3 On page 3, line 19, delete "alderman in the absence of the mayor".

4 On page 3, line 24, after "~~shall constitute~~" insert "or appointed".

5 On page 4, line 1, delete "However, a majority of" and insert "When a seat on a council is
6 vacant due to removal, resignation, death, or by operation of law, the quorum consists of the
7 majority of the members of the council who remain qualified".

8 On page 4, line 2, delete everything before "." .

9 On page 4, line 9, delete everything after "money" and insert ", and in all other cases at the
10 request of any member, which".

11 On page 4, line 10, delete everything before "shall" .

12 On page 4, line 11, delete everything after "vote of" and insert "all the aldermen shall be".

13 On page 4, line 12, after "proposal" insert ", to create a liability against the municipality
14 or to expend or appropriate its money".

15 On page 4, line 13, remove the overstrikes from "aff" and delete "elect".

16 On page 4, line 18, delete "the member's" and insert "all the members".

17 On page 4, line 19, delete "elect".

18 And that as so amended said bill do pass.

19 Respectfully submitted,
20 Bob Ewing, Chair

21 Also MR. PRESIDENT:

22 The Committee on Health and Human Services respectfully reports that it has had under
23 consideration HB 1025 and returns the same with the recommendation that said bill do pass and
24 be placed on the consent calendar.

25 Respectfully submitted,
26 Bruce Rampelberg, Chair

1 Also MR. PRESIDENT:

2 The Committee on Taxation respectfully reports that it has had under consideration HB
3 1049 and 1050 and returns the same with the recommendation that said bills do pass and be
4 placed on the consent calendar.

5 Respectfully submitted,
6 Jeff Monroe, Chair

7 **MESSAGES FROM THE HOUSE**

8 MR. PRESIDENT:

9 I have the honor to transmit herewith HB 1011, 1016, 1031, 1065, 1066, 1069, 1071, 1077,
10 1078, 1084, 1087, 1089, and 1098 which have passed the House and your favorable
11 consideration is respectfully requested.

12 Respectfully,
13 Arlene Kvislen, Chief Clerk

14 **MOTIONS AND RESOLUTIONS**

15 Sen. Brown moved that SB 54 be placed to follow SB 82 on today's calendar.

16 Which motion prevailed.

17 Sen. Brown moved that SB 5 be deferred to Thursday, February 4th, the 15th legislative day.

18 Which motion prevailed.

19 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

20 SB 135 Introduced by: Senators Peterson (Jim), Frerichs, and Olson and Representatives
21 Bartling, Feickert, Kirschman, McCleerey, Qualm, Schoenfish, and Schrempp

22 FOR AN ACT ENTITLED, An Act to allow overwidth farm equipment to be operated on
23 primary highways after sunset under certain conditions.

24 Was read the first time and referred to the Committee on Transportation.

1 SB 136 Introduced by: Senators Peterson (Jim), Cammack, Frerichs, and Olson and
2 Representatives Hawley, Bartling, Deutsch, Feickert, Heinemann (Leslie), Kirschman,
3 McCleerey, Qualm, Schoenbeck, Schoenfish, Schrempp, Wiik, and Wink

4 FOR AN ACT ENTITLED, An Act to permit certain cropland along lakes, rivers, and
5 streams to be assessed as noncropland.

6 Was read the first time and referred to the Committee on Agriculture and Natural
7 Resources.

8 SB 137 Introduced by: Senator Brown and Representative Conzet

9 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
10 telecommunications and internet services.

11 Was read the first time and referred to the Committee on Commerce and Energy.

12 SB 138 Introduced by: Senators Heinert, Bradford, Frerichs, Hagggar (Jenna), Hunhoff
13 (Bernie), Otten (Ernie), Peterson (Jim), Rampelberg, Rusch, Sutton, Tieszen, and Vehle and
14 Representatives Bordeaux, Feickert, Gibson, Hagggar (Don), Hawks, Hawley, Otten (Herman),
15 Schaefer, Schoenfish, Schrempp, Tulson, and Wiik

16 FOR AN ACT ENTITLED, An Act to authorize the construction of a nursing home facility
17 in Rosebud, South Dakota.

18 Was read the first time and referred to the Committee on Health and Human Services.

19 SB 139 Introduced by: Senators Peterson (Jim), Frerichs, Tidemann, and White and
20 Representative Feickert

21 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the use tax.

22 Was read the first time and referred to the Committee on State Affairs.

23 SB 140 Introduced by: Senators Tieszen, Bradford, Brown, Buhl O'Donnell, Frerichs,
24 Haverly, Heinert, Hunhoff (Bernie), Novstrup (David), Olson, Otten (Ernie), Rusch, Shorma,
25 Soholt, Solano, and Vehle and Representatives Johns, Bartling, Bolin, Bordeaux, Deutsch,
26 Feickert, Gibson, Heinemann (Leslie), Holmes, Kirschman, Novstrup (Al), Ring, Rozum,
27 Schrempp, Soli, and Wollmann

28 FOR AN ACT ENTITLED, An Act to eliminate life sentences without parole for
29 defendants under the age of eighteen at the time of the crime.

30 Was read the first time and referred to the Committee on Judiciary.

1 SB 141 Introduced by: Senator Vehle and Representative Duvall

2 FOR AN ACT ENTITLED, An Act to revise the distribution of petroleum release
3 compensation and tank inspection fees, to provide funding for the local bridge improvement
4 grant fund, and to repeal the state capital construction fund, ethanol fuel fund, and ethanol
5 infrastructure incentive fund.

6 Was read the first time and referred to the Committee on Transportation.

7 SB 142 Introduced by: Senators Soholt, Brown, Buhl O'Donnell, Ewing, Fiegen, Heinert,
8 Hunhoff (Bernie), Monroe, Otten (Ernie), Peters, Rusch, Solano, and Tieszen and
9 Representatives Mickelson, Gibson, Haugaard, Hunhoff (Jean), Munsterman, Partridge,
10 Peterson (Kent), and Rozum

11 FOR AN ACT ENTITLED, An Act to authorize certain disclosures of mental health
12 information to law enforcement.

13 Was read the first time and referred to the Committee on Judiciary.

14 SB 143 Introduced by: Senators Vehle, Brown, Haverly, Heineman (Phyllis), Holien,
15 Parsley, Soholt, Sutton, Tidemann, Tieszen, and White and Representatives Munsterman,
16 Anderson, Bartling, Bordeaux, Conzet, Dryden, Rozum, Sly, and Wink

17 FOR AN ACT ENTITLED, An Act to require the Legislative Planning Committee to
18 implement a performance management review process.

19 Was read the first time and referred to the Committee on State Affairs.

20 SB 144 Introduced by: Senator Frerichs and Representative Feickert

21 FOR AN ACT ENTITLED, An Act to revise the legal maximum weight limits based on
22 the number of axles for gross vehicle weight.

23 Was read the first time and referred to the Committee on Transportation.

24 SB 145 Introduced by: Senators Frerichs and Peterson (Jim) and Representatives
25 Schrempp, Feickert, and McCleerey

26 FOR AN ACT ENTITLED, An Act to require certain provisions to be met before allowing
27 public utilities or carriers to exercise eminent domain procedures.

28 Was read the first time and referred to the Committee on Judiciary.

1 SB 146 Introduced by: Senator Frerichs and Representative Hawks

2 FOR AN ACT ENTITLED, An Act to impose a fee on certain pipelines carrying crude oil
3 and to create a crude oil pipeline compensation fund that may be used in the event of a crude
4 oil spill.

5 Was read the first time and referred to the Committee on Transportation.

6 SB 147 Introduced by: Senator Greenfield (Brock) and Representative Partridge

7 FOR AN ACT ENTITLED, An Act to exempt certain amateur sports coaches from sales
8 and use tax.

9 Was read the first time and referred to the Committee on Taxation.

10 SB 148 Introduced by: The Committee on Health and Human Services at the request of the
11 Office of the Governor

12 FOR AN ACT ENTITLED, An Act to authorize additional nursing facility beds for the
13 Michael J. Fitzmaurice Veterans Home and to declare an emergency.

14 Was read the first time and referred to the Committee on Health and Human Services.

15 SJR 3 Introduced by: Senators Hunhoff (Bernie), Heinert, and Sutton and Representatives
16 Hawley and Bartling

17 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general
18 election amendments to Article III of the Constitution of the State of South Dakota, revising the
19 procedure for filling a vacancy in either house of the Legislature.

20 Was read the first time and referred to the Committee on Judiciary.

21 SJR 4 Introduced by: Senators Greenfield (Brock), Curd, Hagggar (Jenna), and Jensen (Phil)
22 and Representative Latterell

23 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general
24 election an amendment to Article IV, section 3 of the Constitution of the State of South Dakota,
25 relating to the powers and duties of the Governor.

26 Was read the first time and referred to the Committee on State Affairs.

1 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

2 HB 1011: FOR AN ACT ENTITLED, An Act to repeal certain obsolete and unnecessary
3 statutes concerning game preserves and refuges.

4 Was read the first time and referred to the Committee on Agriculture and Natural
5 Resources.

6 HB 1031: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to
7 weights and measures.

8 Was read the first time and referred to the Committee on Commerce and Energy.

9 HB 1065: FOR AN ACT ENTITLED, An Act to designate the Civilian Conservation
10 Corps Museum of South Dakota in Hill City as the official Civilian Conservation Corps
11 Museum of South Dakota.

12 Was read the first time and referred to the Committee on State Affairs.

13 HB 1066: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
14 public notice for a meeting of a public body.

15 Was read the first time and referred to the Committee on Local Government.

16 HB 1069: FOR AN ACT ENTITLED, An Act to revise certain provisions related to genetic
17 counselor licensure.

18 Was read the first time and referred to the Committee on Health and Human Services.

19 HB 1071: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
20 annual conference between county commissioners and the director of equalization.

21 Was read the first time and referred to the Committee on Local Government.

22 HB 1077: FOR AN ACT ENTITLED, An Act to grant limited immunity from arrest and
23 prosecution for certain related offenses to persons who assist certain persons in need of
24 emergency assistance or who are themselves in need of emergency assistance.

25 Was read the first time and referred to the Committee on Judiciary.

1 HB 1078: FOR AN ACT ENTITLED, An Act to grant limited immunity from arrest and
2 prosecution for certain alcohol related offenses to persons who assist a person in need of
3 emergency assistance or who are themselves in need of emergency assistance.

4 Was read the first time and referred to the Committee on Judiciary.

5 HB 1084: FOR AN ACT ENTITLED, An Act to define when concurrent employment may
6 be used to calculate earnings in workers' compensation cases.

7 Was read the first time and referred to the Committee on Commerce and Energy.

8 HB 1087: FOR AN ACT ENTITLED, An Act to repeal the requirement of a certain public
9 election notice.

10 Was read the first time and referred to the Committee on Local Government.

11 HB 1089: FOR AN ACT ENTITLED, An Act to revise provisions for accumulation of
12 funds for certain municipal enterprises.

13 Was read the first time and referred to the Committee on Local Government.

14 HB 1098: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
15 exemption of motor vehicles from the motor vehicle excise tax.

16 Was read the first time and referred to the Committee on Taxation.

17 HB 1016: FOR AN ACT ENTITLED, An Act to revise the authority granted to the
18 Building Authority and to the Board of Regents to construct certain improvements at South
19 Dakota State University in Brookings and the University of South Dakota in Vermillion.

20 Was read the first time and the President Pro tempore waived the referral to the standing
21 committee pursuant to Joint Rule 6D-1.

22 **SECOND READING OF CONSENT CALENDAR ITEMS**

23 SB 93: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
24 homestead exemption.

25 Was read the second time.

26 The question being "Shall SB 93 pass?"

1 And the roll being called:

2 Yeas 35, Nays 0, Excused 0, Absent 0

3 Yeas:

4 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
5 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
6 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
7 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
8 Gerpen; Vehle; White

9 So the bill having received an affirmative vote of a majority of the members-elect, the
10 President declared the bill passed and the title was agreed to.

11 HB 1018: FOR AN ACT ENTITLED, An Act to define certain terms related to commercial
12 fertilizer and soil amendments.

13 Was read the second time.

14 The question being "Shall HB 1018 pass?"

15 And the roll being called:

16 Yeas 35, Nays 0, Excused 0, Absent 0

17 Yeas:

18 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
19 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
20 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
21 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
22 Gerpen; Vehle; White

23 So the bill having received an affirmative vote of a majority of the members-elect, the
24 President declared the bill passed and the title was agreed to.

25 HB 1019: FOR AN ACT ENTITLED, An Act to revise certain provisions related to milk
26 sampling and grading licenses and tester and grader licenses.

27 Was read the second time.

28 The question being "Shall HB 1019 pass?"

29 And the roll being called:

30 Yeas 35, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
3 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
4 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
5 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
6 Gerpen; Vehle; White

7 So the bill having received an affirmative vote of a majority of the members-elect, the
8 President declared the bill passed and the title was agreed to.

9 HB 1020: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning fire
10 prevention and compacts related to the prevention and control of forest fires.

11 Was read the second time.

12 The question being "Shall HB 1020 pass?"

13 And the roll being called:

14 Yeas 35, Nays 0, Excused 0, Absent 0

15 Yeas:

16 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
17 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
18 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
19 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
20 Gerpen; Vehle; White

21 So the bill having received an affirmative vote of a majority of the members-elect, the
22 President declared the bill passed and the title was agreed to.

23 HB 1021: FOR AN ACT ENTITLED, An Act to allow child advocacy centers and tribal
24 agencies that provide child placement services to obtain results from a check of the central
25 registry for abuse and neglect.

26 Was read the second time.

27 The question being "Shall HB 1021 pass as amended?"

28 And the roll being called:

29 Yeas 35, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
3 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
4 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
5 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
6 Gerpen; Vehle; White

7 So the bill having received an affirmative vote of a majority of the members-elect, the
8 President declared the bill passed and the title was agreed to.

9 HB 1022: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the
10 use of another planned permanent living arrangement as a permanency plan for certain children.

11 Was read the second time.

12 The question being "Shall HB 1022 pass?"

13 And the roll being called:

14 Yeas 35, Nays 0, Excused 0, Absent 0

15 Yeas:

16 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
17 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
18 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
19 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
20 Gerpen; Vehle; White

21 So the bill having received an affirmative vote of a majority of the members-elect, the
22 President declared the bill passed and the title was agreed to.

23 HB 1040: FOR AN ACT ENTITLED, An Act to revise and implement certain provisions
24 regarding the regulation of risk retention groups.

25 Was read the second time.

26 The question being "Shall HB 1040 pass?"

27 And the roll being called:

28 Yeas 35, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
3 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
4 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
5 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
6 Gerpen; Vehle; White

7 So the bill having received an affirmative vote of a majority of the members-elect, the
8 President declared the bill passed and the title was agreed to.

9 HB 1062: FOR AN ACT ENTITLED, An Act to permit an order changing the name of a
10 minor child without prior publication in certain instances.

11 Was read the second time.

12 The question being "Shall HB 1062 pass?"

13 And the roll being called:

14 Yeas 35, Nays 0, Excused 0, Absent 0

15 Yeas:

16 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
17 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
18 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
19 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
20 Gerpen; Vehle; White

21 So the bill having received an affirmative vote of a majority of the members-elect, the
22 President declared the bill passed and the title was agreed to.

23 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

24 SB 12: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to sell certain
25 extraneous real property in Brookings County and to deposit the proceeds with the state
26 treasurer to be credited to a fund designated as the real property acquisition and capital
27 improvement fund for South Dakota State University.

28 Was read the second time.

29 The question being "Shall SB 12 pass as amended?"

30 And the roll being called:

31 Yeas 35, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
3 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
4 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
5 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
6 Gerpen; Vehle; White

7 So the bill having received an affirmative vote of a majority of the members-elect, the
8 President declared the bill passed and the title was agreed to.

9 SB 26: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning sex
10 offender registration and to require an offender to notify of intended foreign travel.

11 Was read the second time.

12 The question being "Shall SB 26 pass as amended?"

13 And the roll being called:

14 Yeas 35, Nays 0, Excused 0, Absent 0

15 Yeas:

16 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
17 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
18 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
19 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
20 Gerpen; Vehle; White

21 So the bill having received an affirmative vote of a majority of the members-elect, the
22 President declared the bill passed and the title was agreed to.

23 SB 81: FOR AN ACT ENTITLED, An Act to create the paraprofessional tuition assistance
24 scholarship program.

25 Was read the second time.

26 The question being "Shall SB 81 pass as amended?"

27 And the roll being called:

28 Yeas 34, Nays 1, Excused 0, Absent 0

1 Yeas:

2 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
3 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
4 Jensen (Phil); Monroe; Novstrup (David); Olson; Otten (Ernie); Parsley; Peters; Peterson (Jim);
5 Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
6 White

7 Nays:

8 Omdahl

9 So the bill having received an affirmative vote of a majority of the members-elect, the
10 President declared the bill passed and the title was agreed to.

11 SB 82: FOR AN ACT ENTITLED, An Act to establish the Native American achievement
12 schools grant program.

13 Was read the second time.

14 The question being "Shall SB 82 pass?"

15 And the roll being called:

16 Yeas 34, Nays 1, Excused 0, Absent 0

17 Yeas:

18 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
19 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
20 Jensen (Phil); Monroe; Novstrup (David); Olson; Otten (Ernie); Parsley; Peters; Peterson (Jim);
21 Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
22 White

23 Nays:

24 Omdahl

25 So the bill having received an affirmative vote of a majority of the members-elect, the
26 President declared the bill passed and the title was agreed to.

27 SB 54: FOR AN ACT ENTITLED, An Act to adopt the Elder Abuse Task Force's statutory
28 recommendations in order to protect South Dakota seniors and adults with disabilities from
29 abuse, neglect, and exploitation.

30 Was read the second time.

31 The question being "Shall SB 54 pass?"

32 And the roll being called:

1 Yeas 35, Nays 0, Excused 0, Absent 0

2 Yeas:

3 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
4 (Brock); Haggart (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
5 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
6 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van
7 Gerpen; Vehle; White

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed and the title was agreed to.

10 SB 3: FOR AN ACT ENTITLED, An Act to revise the income criteria for determining if
11 property is classified as agricultural land for property tax purposes.

12 Was read the second time.

13 The question being "Shall SB 3 pass?"

14 And the roll being called:

15 Yeas 17, Nays 18, Excused 0, Absent 0

16 Yeas:

17 Brown; Buhl O'Donnell; Cammack; Frerichs; Haggart (Jenna); Heinert; Hunhoff (Bernie);
18 Olson; Parsley; Peterson (Jim); Rampelberg; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
19 White

20 Nays:

21 Bradford; Curd; Ewing; Fiegen; Greenfield (Brock); Haverly; Heineman (Phyllis); Holien;
22 Jensen (Phil); Monroe; Novstrup (David); Omdahl; Otten (Ernie); Peters; Rusch; Shorma;
23 Soholt; Solano

24 So the bill not having received an affirmative vote of a majority of the members-elect, the
25 President declared the bill lost.

26 Sen. Tidemann announced his intention to reconsider the vote by which SB 3 lost.

27 SB 63: FOR AN ACT ENTITLED, An Act to require the development of school safety
28 plans and to require the conduct of lockdown drills in accredited schools.

29 Was read the second time.

1 63ra

2 Sen. Holien moved that SB 63 be amended as follows:

3 On page 2, line 3, of the Senate Education Committee engrossed bill, delete "lockdown"
4 and insert "school safety" in both places.

5 On page 2, line 5, delete "lockdown" and insert "school safety".

6 Which motion prevailed.

7 The question being on the title.

8 63rta

9 Sen. Holien moved that the title to SB 63 be amended as follows:

10 On page 1, line 2, of the Senate Education Committee engrossed bill, delete "lockdown"
11 and insert "school safety".

12 Which motion prevailed and the title was so amended.

13 The question being "Shall SB 63 pass as amended?"

14 And the roll being called:

15 Yeas 34, Nays 1, Excused 0, Absent 0

16 Yeas:

17 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
18 (Brock); Haggard (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
19 Jensen (Phil); Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim);
20 Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
21 White

22 Nays:

23 Monroe

24 So the bill having received an affirmative vote of a majority of the members-elect, the
25 President declared the bill passed.

SB 8: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding background investigations for prospective employees of the postsecondary technical institutes and to transfer certain funds regarding postsecondary technical credentialing.

Was read the second time.

The question being "Shall SB 8 pass as amended?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield (Brock); Haggard (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim); Rampelberg; Rusch; Shorma; Sohlt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

So the bill having received an affirmative vote of a majority of the members-elect, the President declared the bill passed and the title was agreed to.

Sen. Brown moved that the balance of the calendar including HB 1052, 1055, 1057, and 1058 be deferred to Thursday, February 4th, the 15th legislative day.

Which motion prevailed.

SIGNING OF BILLS

The President publicly read the title to

HB 1002: FOR AN ACT ENTITLED, An Act to eliminate certain reporting requirements for the county general fund.

And signed the same in the presence of the Senate.

Sen. Frerichs moved that the Senate do now adjourn, which motion prevailed and at 4:15 p.m. the Senate adjourned.

Kay Johnson, Secretary